

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA

v.

NESTOR MARIANO VIDAL BATISTA,
Defendant.

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CRIMINAL No. 4:21-CR-385
(Under Seal)

PROFFER

On December 5, 2020, Nestor Mariano Vidal Batista (Batista) showed up at the F.B.I.'s Houston office at 1 Justice Park Dr., Houston, Texas and jumped over the security gate to gain access. He was caught, handcuffed, and walked off the premises and given a citation by the Houston Police Department Officer.

On December 26, 2020, Batista **climbed** the fence and came onto the premises of the F.B.I.'s Houston office at 1 Justice Park Dr., Houston, Texas. He was arrested by HPD and Batista's vehicle was towed.

On June 23, 2021, a Dodge Ram 2500 pick-up truck was stolen from a underpass construction site by a man fitting the description of Batista. The vehicle was parked running and the person jumped in and drove it off running over some barriers.

On June 23, 2021, Batista went to the F.B.I. security gate to try to gain access to lodge an in-person complaint. He was turned away by security personnel and referred to local authorities. At that time, he left and got into the previously described Dodge Ram 2500 pick-up truck. He drove around the area and then came back and sped toward the security gates at the F.B.I. offices and jumped out of the vehicle as it crashed through the gates and lodged up against security fencing. Batista then ran toward and entered the reception area lobby of the F.B.I. building before he was subdued by Agents and Security Officers. Batista was briefly questioned in English and Spanish to obtain background information. Batista made erratic statements about the police being gangs and gangsters and that people were following him and trying to kill him.

Batista was briefly interviewed and examined by the Mental Health Division C.I.R.T. unit of the HPD and found to meet the criteria of an EDO(emergency detention order). Batista rambled on in English and Spanish about people following him and people trying to kill him.

The F.B.I. has obtained 2 repair estimates, and is getting 2 more estimates, giving repair and labor estimates between \$6690.00 and \$7,929.90, all over \$1000.00. Estimates for repair damage to the truck have not been obtained yet.

Respectfully Submitted,
JENNIFER B. LOWERY
United States Attorney

By: Joe Porto
Joe Porto
Assistant United States Attorney